



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
December 08, 2016

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Fifth Third Mortgage Company

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

William R. Schulte and
Melani Schulte,

Debtors.

Case: 09-29123-mkn
Chapter 11

**ORDER GRANTING MOTION FOR
RELIEF FROM AUTOMATIC STAY
(REAL PROPERTY)**

Hearing Date: November 30, 2016
Hearing Time: 9:30 AM

The Motion for Relief from Automatic Stay of Fifth Third Mortgage Company (“Movant”) came on regularly for hearing before the Court, appearances as noted on the record.

The Court having read and considered the moving papers, having determined that the moving papers were properly served, being fully advised, and good cause appearing:

IT IS HEREBY ORDERED ADJUDGED AND DECREED that Movant’s Motion for Relief from Automatic Stay is GRANTED. The automatic stay of 11 U.S. C. § 362(a) is terminated as to the Debtors and the Debtors’ bankruptcy estate pursuant to 11 U.S.C. § 362(d)(1) and/or § 362(d)(2) as to the collateral commonly known as 5218 Misty Morning Drive, Las Vegas, NV 89118 (“Property”) and legally described in the attached Exhibit “A” to allow

Movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to foreclose upon and obtain possession of the Property.

IT IS FURTHER ORDERED the 14-day period specified in Fed.R.Bankr.P. 4001(a)(3) is waived. This Order shall be binding and effective despite any conversion of the bankruptcy case to any other chapter under Title 11 of the United States Code.

SUBMITTED BY:

By: /s/ Brett Ryan
Brett Ryan, Nevada Bar No. 12484
2520 St. Rose Parkway, Suite 106
Henderson, NV 89074
Tel: 702-854-9965
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RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing:

Unrepresented parties appearing: None

Trustee: No Appearance at Hearing; No additional Service required.

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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EXHIBIT A

LOT NINE (9) IN BLOCK A OF LEWIS HOMES - SPRING VALLEY NO. 1. AS SHOWN
BY MAP THEREOF ON FILE IN BOOK 42 OF PLATS, PAGE 78 IN THE OFFICE OF THE
COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXHIBIT A

PROOF OF SERVICE

I hereby certify that I am an employee of RCO Legal, P.S., whose business address is 2520 St. Rose Parkway, Suite 106, Henderson, NV 89074. I am over the age of eighteen (18) and not a party to the within action.

On the date stated below, pursuant to Federal Rules of Civil Procedure and Local Rules, I served the documents described as: ORDER GRANTING MOTION FOR RELIEF FROM AUTOMATIC STAY and EXHIBIT, on interested parties either by placing a true and correct copy thereof in a sealed envelope with first class postage thereon fully prepaid in the United States Mail at Henderson, Nevada or by CM/ECF system as indicated below:

■ **a. ECF System**

US Trustee

US Trustee - LV - 11
300 Las Vegas Boulevard, South
Suite 4300
Las Vegas, NV 89101
USTPRegion17.lv.ecf@usdoj.gov

b. United States mail, postage fully prepaid

Debtors

William R. Schulte
Melani Schulte
9811 W. Charleston Blvd. #2-351
Las Vegas, NV 89117

(Other Parties)

Sabreco Inc.
C/O Nevada Legal Forms & Tax Services
3901 W. Charleston Blvd
Las Vegas, NV 89102

Debtor's Attorney

Sabreco Inc.
7201 W Lake Mead Blvd. #550
Las Vegas, NV 89128

Image Finance LLC
C/O Snell & Wilmer LLP
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, NV 89169

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 6 day of December, 2016.

By: /s/ Esequiel Valerio

Esequiel Valerio